

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DEANGELO LAMONT MITCHELL,)

Plaintiff,)

vs.)

HIGH DESERT STATE PRISON, *et al.*,)

Defendants.)

Case No.: 2:22-cv-00236-GMN-BNW

ORDER

Pending before the Court is the Motion for Preliminary Injunction, (ECF No. 9), filed by Plaintiff Deangelo Lamont Mitchell (“Plaintiff”). On behalf of Defendants Jeremy Bean, Ben Gutierrez, Jaymie, Roland Oliver, and Nilo Peret (“Defendants”), Nevada’s Office of the Attorney General filed a Response, (ECF No. 14), and Plaintiff filed a Reply, (ECF No. 18).

Plaintiff is an inmate at High Desert State Prison (“HDSP”). Plaintiff initiated this case by filing a civil rights Complaint under 42 U.S.C. § 1983, alleging deliberate indifference to a serious medical need in violation of the Eighth Amendment. (*See generally* Complaint, ECF No. 12). Plaintiff claims that he has been diagnosed with urethral strictures since 2003, and that in June or July of 2020, a urologist recommended that Plaintiff schedule a urethroplasty with specialist Dr. Craig Hunter. (Screening Order 3:22–4:9, ECF No. 11). However, Plaintiff alleges that he was never scheduled for a urethroplasty. (Mot. Prelim. Inj. at 2, ECF No. 9).

On March 2, 2022, Plaintiff filed the present Motion to “ensure that Plaintiff receive[s] the medical treatment that was recommended for him.” (*Id.* at 6). Defendants responded that (1) Plaintiff’s condition is being managed with self-catheterization, lubrication, soap, and cranberry tablets; (2) Dr. Hunter does not contract with the Nevada Department of Corrections

(“NDOC”), and (3) Plaintiff has an appointment with a new urologist on April 4, 2022. (Resp. 2:5–3:15, ECF No. 14).

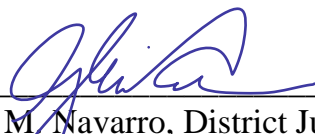
Because briefing on the present Motion was completed on March 28, 2022, Plaintiff filed a Notice, (ECF No. 21), with the Court to report on the outcome of his April 4th appointment. Plaintiff reports that Dr. Rachel Bowers also recommended that Plaintiff undergo a urethroplasty. (Notice at 2, ECF No. 21). Dr. Bowers explained that a urethroplasty is a specialized procedure and that the only specialist in Nevada qualified to perform one is Dr. Hunter. (*Id.*). Plaintiff claims that “on April 4, 2022, Plaintiff was informed by medical personal at [HDSP] that he would not be able to see Dr. Craig Hunter because he is not contracted with NDOC.” (*Id.*). Defendants have not yet filed a response to Plaintiff’s Notice.

Accordingly,

IT IS HEREBY ORDERED that the parties in this case shall appear for a hearing on Plaintiff’s Motion for Preliminary Injunction IN PERSON¹ on Wednesday, May 11, 2022, at 10:00 A.M. before the Honorable Judge Gloria M. Navarro in Las Vegas Courtroom 7D. The parties should be prepared to discuss:

1. Whether a urethroplasty is a medically necessary procedure or an elective one, and specifically, how successfully Plaintiff’s condition can be managed without one.
2. Defendants’ response to Plaintiff’s Notice, (ECF No. 21), and specifically, how Plaintiff can get a urethroplasty if only Dr. Hunter is qualified to perform the surgery.

DATED this 26 day of April, 2022.


 Gloria M. Navarro, District Judge
 UNITED STATES DISTRICT COURT

¹ Even though this is an in-person hearing, Plaintiff will be appearing via video link from HDSP.